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SUBJECT: ELECTIONS HERALD 2: SLOW NEB PROGRESS; WILL  
"FOREGO" CERTAIN ELECTION LAW PROVISIONS

REF: ADDIS 261

SUMMARY

1. (SBU) In a February 14 meeting with Ambassador, National Electoral Board (NEB) Chairman Dr. Merga and Vice Chairman Dr. Adissu commented on the positive progress that the NEB has made since being appointed. While the NEB has made positive progress toward implementing the April 13 and 20 local elections, it has made minimal progress or efforts toward establishing procedures and regulations for the conduct of these elections in a transparent and open manner. Lack of capacity, time, and resources, as well as the apparent heavy-handed steps by the ruling party make these local elections a lost cause and will force the donor community to work hard to ensure that the 2010 national elections do not end in voter frustration and violence. End Summary.

POSITIVE PROGRESS...

2. (SBU) Upon opening the meeting, Dr. Merga reported to Ambassador that the NEB had established permanent offices in each of Ethiopia's regions, as well as temporary offices throughout the country in order to proceed with the April elections. Dr. Merga boasted that the NEB had registered over 26 million voters for the 2008 local elections -- a figure greater than the number of voters registered for the 2005 national elections. Among these are over 1.117 million registered voters in Addis Ababa city. The NEB reported that it had already issued licenses for organizations to conduct civic and voter education as well. Dr. Adissu went on to boast that the NEB had also successfully put in place most public election observers. The Electoral Law of 2007 states that each polling station shall have five election observers elected from non-partisan members of their respective communities. With over 42,000 polling stations, the NEB had successfully put in place roughly 200,000 local election observers.

3. (SBU) Despite this progress, the NEB members lamented opposition parties' tendency to complain to donor embassies about the electoral playing field while telling the NEB that there are no problems. Dr. Adissu specifically complained about what the NEB sees as the international community's propensity to believe allegations by opposition parties without independently verifying circumstances. PolChief

agreed that verification of allegations is key to the credibility of the coming elections, but cited the NEB's directive to its own regional offices not to meet with foreign diplomats without prior consent from the NEB in writing as an impediment to our ability to conduct such verification. PolChief specifically cited an instance in early-February in which PolOff and PolSpecialist were turned away from pre-scheduled and pre-confirmed meetings with NEB offices in the Southern Nations region (SNNPR) -- meetings which were facilitated by the NEB Executive Director -- due to the absence of such a letter of permission. In light of this, Ambassador took advantage of the meeting to request the NEB's permission to meet with NEB offices during a February 25-27 trip to Western Oromiya.

...BUT SOME THINGS HAVE TO BE "FOREGONE"

14. (SBU) PolChief requested clarification from the NEB on the Board's interpretation of the term "election process" as it pertains to the rights of election monitors as detailed in Article 80 of the Electoral Law. Article 80 notes that "a representative of an organizations who is issued with an election observation license has the right to monitor the election process and request and obtain appropriate information." Reacting defensively, Dr. Adissu quickly rejected that the law referred to "monitoring." NEB Chair Dr. Merga began to note that the "election process" referred to all activities on election day up to the final tallying of votes, only to be cut off by Executive Director Tesfaye Mengesha who clarified that the "election process" referred to all election related events beginning with the initial registration of voters through the results complaints review process.

15. (SBU) PolChief asked rhetorically whether the NEB was subjecting the local elections to questions of credibility since the voter and candidate registration periods were almost complete and campaigning set to begin while the NEB had yet to even establish the regulations under which interested domestic election observer organizations could express interest, much less receive licenses. Dr. Merga explained that as a relatively new NEB operating under a relatively new electoral law, it had to produce many directives and regulations required to implement the provisions captured within the Electoral Law. As such, Dr. Merga explained, the possibility of domestic election observers monitoring the election process was "one of many things that Ethiopia would have to forego for this election."

COMMENT

16. (SBU) The NEB certainly faces an up-hill challenge in implementing the provisions of the new Electoral Law and conducting the already delayed local elections as a result of the lack of time to establish operations, capacity problems, and resource limitations. The NEB is also not an independent player, with the opposition (rightly) complaining about its close linkage to the ruling party. It will take time, working closely with the NEB and GoE to establish a strong independent institution capable of conducting transparent and open elections. Post will report septel on PolOff's election playing field assessment to SNNPR and Ambassador's visit to Western Oromiya. The NEB did not deny the Ambassador access to any NEB office or meetings during the visit to Oromiya, an opposition stronghold. With only eight weeks left before the local elections, however, it is painfully clear that the local elections are a major step backward from the historic openness of the 2005 national elections. The inability of the opposition to register all of its candidates, especially in opposition strongholds like Oromiya, and persistent reports of harassment against opposition candidates and supporters makes it a certainty that the ruling party will dominate these elections. It will be important for the donor community to work closely with the GoE to ensure that the 2010 national elections do not go the way of these local

elections, otherwise the chance for violence and active voter  
opposition to the government could be more severe than the  
post-election violence of 2005. End comment.  
YAMAMOTO